

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS: Jeffrey Charles Hawkins and Robert Yuji Haitani
PATENT NO.: 7,007,239 B1
ISSUE DATE: February 28, 2006
SERIAL NO.: 09/977,871
FILING DATE: October 14, 2001
TITLE: Method and Apparatus for Accessing a Contacts Database and
Telephone Services
ATTY. DKT. NO.: 24772-10593

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

ATTENTION: DECISION AND CERTIFICATE OF CORRECTION
BRANCH OF THE PATENT ISSUE DIVISION

REQUEST FOR CERTIFICATE OF CORRECTION

SIR:

The following errors, as more fully described below, appear in this patent.

☒ The Applicant submits that no fee is due for correction of the errors made by the Patent and Trademark Office; OR,

☐ The errors occurred in good faith. Correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. A Certificate of Correction is requested. Enclosed herewith is payment in the amount of \$100.00 to cover the fee for this Certificate of Correction.

Attached hereto are duplicate Forms PTO-1050, with at least one copy that is suitable for printing.

Applicant kindly requests the following change:

Cover page under Related U.S. Application Data:

Please add after 6,781,575 --, and Continuation-in-Part of application no.

09/374,095 filed on Aug. 12, 1999, and now Pat. No. 6,516,202--.

Column 1, Line 6:

After "application" please add --claims benefit to and--.

Column 1, Line 9:

After "6,781,575B1" please add --This patent application claims benefit to and is a continuation-in-part of the U.S. patent application entitled "A Mobile Computer System designed for Wireless Communication Expansion," having serial number 09/374,095, filed 8/12/99, now U.S. Pat. No. 6,516,202.--

This additional priority claim was submitted in an Amendment After Allowance Under CFR 1.312 filed on April 20, 2005, and granted by the U.S. Patent Office on June 9, 2005 (copies of which documents are attached).

Please send the Certificate to:

RAJIV P. PATEL
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

Respectfully submitted,
Jeffrey Charles Hawkins and Robert Yuji Haitani

Dated: September 1, 2006

By: /Rajiv P. Patel/
RAJIV P. PATEL, REG. NO. 39,327
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7607
Fax.: (650) 938-5200

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office,

Fax. No. (703) 872-9306 on April 20, 2005.


Gregory Suh

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jeffrey Hawkins, et al.

Examiner: Raymond J Bayerl

Serial No.: 09/977,871

Group Art Unit: 2173

Filing Date: 10/14/2001

For: METHOD AND APPARATUS FOR
ACCESSING A CONTACTS
DATABASE AND TELEPHONE
SERVICES

AMENDEMENT AFTER ALLOWANCE UNDER CFR 1.312

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants submit the following amendments and remarks for the above-identified application.

Amendments to the specification begin on page 2.

Remarks begin on page 3.

Amendments to the Specification:

Please replace the paragraph at page 2, line 3 (under the title) with the following paragraph:

RELATED APPLICATIONS

This patent application claims benefit to and is a continuation-in-part of the U.S. patent application entitled “Method and Apparatus for Organizing Addressing Elements”, having serial number 09/668,123, filed 9/21/00. This patent application claims benefit to and is a continuation-in-part of the U.S. patent application entitled “A Mobile Computer System Designed For Wireless Communication Expansion,” having serial number 09/374,095, filed 8/12/99, now U.S. Patent 6,516,202.

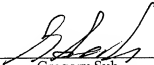
REMARKS

This Amendment is being filed for the above-identified application. In this Amendment, Applicants have amended the specification to include a reference to a related parent application, which was incorporated by reference in the specification as originally filed (on page 11, lines 9-12). The Applicants respectfully submit that the amendment to the specification is a correction of formal matters and that the scope of the claims is unchanged. The Applicants also state that this Amendment is being submitted before payment of the issue fee for the above-identified application. As such, the Applicants respectfully request that this Amendment be entered under CFR 1.312.

Respectfully submitted,

STATTLER, JOHANSEN & ADELI LLP

Dated: 4/29/05



Gregory Suh
Reg. No. 48,187

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PALO ALTO, CA 94303

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JUN 09 2005

In re Application of
Jeffrey Charles Hawkins et al
Application No. 09/977,871
Filed: October 14, 2001
Attorney Docket No. HAND.P0013

: **OFFICE OF PETITIONS**
:
: **DECISION ON PETITION**
: **UNDER 37 CFR 1.78(a)(3)**
:

This is a decision on the petition under 37 CFR 1.78(a)(3), filed April 20, 2005, to accept an unintentionally delayed claim under 35 U.S.C. § 120 for the benefit of priority to the prior-filed nonprovisional application set forth in the amendment filed concurrently with the instant petition.

The petition is **GRANTED**.

A petition for acceptance of a claim for late priority under 37 CFR 1.78(a)(3) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR 1.78(a)(2)(ii). In addition, the petition under 37 CFR 1.78(a)(3) must be accompanied by:

- (1) the reference required by 35 U.S.C. § 120 and 37 CFR 1.78(a)(2)(i) of the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2)(ii) and the date the claim was filed was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional.

The instant nonprovisional application was filed after November 29, 2000, and the claim herein for the benefit of priority to the prior-filed nonprovisional application is submitted after expiration of the period specified in 37 CFR 1.78(a)(2)(ii). Therefore, this is a proper petition under 37 CFR 1.78(a)(3).

The petition complies with the requirements for a grantable petition under 37 CFR 1.78(a)(3) in that (1) a reference to the prior-filed nonprovisional application has been included in an amendment to the first sentence of the specification following the title, as provided by 37 CFR 1.78(a)(2)(iii); (2) the surcharge fee required by 37 CFR 1.17(t) has been previously submitted;


and (3) the petition contains a proper statement of unintentional delay. Accordingly, having found that the instant petition for acceptance of an unintentionally delayed claim for the benefit of priority under 35 U.S.C. § 120 to the prior-filed nonprovisional application satisfies the conditions of 37 CFR 1.78(a)(3), the petition is granted.

The granting of the petition to accept the delayed benefit claim to the prior-filed application under 37 CFR 1.78(a)(3) should not be construed as meaning that the instant application is entitled to the benefit of the prior-filed application. In order for the instant application to be entitled to the benefit of the prior-filed application, all other requirements under 35 U.S.C. § 120 and 37 CFR 1.78(a)(1) and (a)(2) must be met. Similarly, the fact that the corrected Filing Receipt accompanying this decision on petition includes the prior-filed application should not be construed as meaning that applicants are entitled to the claim for benefit of priority to the prior-filed application noted thereon. Accordingly, the examiner will, in due course, consider this benefit claim and determine whether the instant application is entitled to the benefit of the earlier filing date.

A corrected Filing Receipt, which includes the priority claim to the prior-filed nonprovisional application, accompanies this decision on petition.

Any inquiries concerning this decision may be directed to Wan Laymon at (571) 272-3220. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

This matter is being referred to Technology Center Art Unit 2173 for processing of the Request for Continued Examination (RCE) filed on May 19, 2005 and for appropriate action on the amendments filed April 20, 2005 and May 19, 2005, including consideration by the examiner of applicants' entitlement to claim benefit of priority under 35 U.S.C. § 120 to the prior-filed nonprovisional application.


Frances Hicks
Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

ATTACHMENT: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,007,239 B1

DATED : February 28, 2006

INVENTORS : Jeffrey Charles Hawkins and Robert Yuji Haitani

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

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MAILING ADDRESS OF SENDER:

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Mountain View, CA 94041

PATENT NO. 7,007,239B1

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